SONNERS CHEIN FAIL ELE 2121 N. CALIFORNIA BLVD., SUITE 800 WALNUT CREEK, CALIFORNIA 94596 (925) 949-2600	1 2 3	MICHAEL BARNES (State Bar No. 121314) JONE TRAN (State Bar No. 239311) SONNENSCHEIN NATH & ROSENTHAL LLP 2121 N. California Blvd., Ste. 800 Walnut Creek, California 94596-7342		
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	6 7	Attorneys for Plaintiff and Counter-Defendant ALLSTATE INSURANCE COMPANY		
	8	MARIO ALEXANDER 829 "C" Street, Apt. 5 P.O. Box 3232		
	9	829 "C" Street, Apt. 5 Eureka, California 95501 Telephone: (707) 616-0862 Defendant In Propria Persona MARIO ALEXANDER		
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	12			
	13	UNITED STATES DISTRICT COURT		
	14	NORTHERN DISTRICT OF CALIFORNIA		
	15	SAN FRANCISCO/OAKLAND DIVISION		
	16	ALLSTATE INSURANCE COMPANY, an Illinois Corporation,	No. C 10-00077 EMC	
	17	Plaintiff,	STIPULATION OF MARIO	
	18	VS.	ALEXANDER TO BE BOUND BY JUDGMENT AND PROPOSED ORDER	
	19	RICHARD BARNETT and MARIO	THEREON ; ORDER	
	20	ALEXANDER,		
	21	Defendants.		
	22	RELATED COUNTERCLAIM.		
	23	RELATED COUNTERCLAIM.		
	24			
	25	STIPULATION TO BE	BOUND BY JUDGMENT	
	26	WHEREAS defendant Mario Alexander is the plaintiff in an underlying state court action		
	27	against defendant Richard Barnett, an Allstate policyholder, styled Alexander v. Barnett,		
	28	Humboldt County Superior Court case no. DR090825 (the "Underlying Action"); and		
		I .		

-1- STIPULATION OF M. ALEXANDER TO BE BOUND BY JUDGMENT AND PROPOSED ORDER THEREON

Case No. C 10-00077 EMC

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WHEREAS Allstate has commenced this action for declaratory relief to determine whether
its policy requires it to defend or indemnify Mr. Barnett in the Underlying Action under his
homeowners policy; and

WHEREAS Mr. Alexander, as the underlying plaintiff, is a potential claimant under Mr. Barnett's Allstate policy pursuant to California Insurance Code section 11580 and has been joined in this action as a nominal defendant to bind him to the judgment and thereby to prevent inconsistent rulings; and

WHEREAS Mr. Alexander resides more than 250 miles from the courthouse and lacks the financial resources to engage counsel to represent him in this action or to travel to court for appearances; and

WHEREAS Mr. Alexander does not wish to bear the burden of litigating coverage under an insurance policy to which he is not a party; and

WHEREAS Mr. Alexander is willing to be bound by any ruling by this Court decreeing Allstate's coverage obligations with respect to the Underlying Action; and

WHEREAS Mr. Alexander's active participation in this action is unnecessary for the complete, fair and efficient adjudication of the coverage issues raised by the pleadings in this action;

NOW, THEREFORE, Allstate and Mr. Alexander hereby stipulate and agree that Mr. Alexander will be bound by any judgment, order or other ruling herein decreeing the rights, responsibilities and obligations of the parties with respect to the issues addressed in Allstate's complaint for declaratory relief in this action, and acknowledges that this Court's rulings thereon will be binding upon him. To that end, Mr. Alexander shall be entitled to receive all pleadings, motions, discovery, discovery responses and other documents served or filed by the parties or the Court, but shall be otherwise excused from participating in or attending Court proceedings, provided that, for purposes of appearing to give testimony or to produce documents at deposition or trial, Mr. Alexander shall be deemed a party to this action.

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IT IS SO STIPULATED.

Filer's Attestation

Pursuant to General Order No. 45, section X(B) regarding signatures, I attest under penalty of perjury that the concurrence in the filing of this document has been obtained from its signatories.

DATED: June 25, 2010

BY /s/ JONE TRAN JONE TRAN

Respectfully Submitted,

Dated: June 25, 2010 SONNENSCHEIN NATH & ROSENTHAL LLP

> By______/s/JONE TRAN JONE TRAN

Attorneys for Plaintiff and Counter-Defendant ALLSTATE INSURANCE COMPANY

DEFENDANT IN PROPRIA PERSONA Dated: June__, 2010

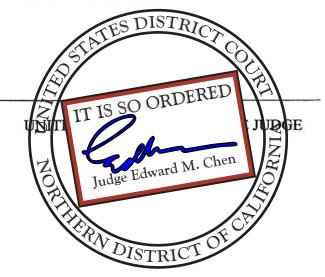
MARIØ ALEXANDER

Defendant In Propria Persona MARIO ALEXANDER

IT IS SO ORDERED.

Dated: August ², 2010

Case No. C 10-00077 EMC



-3- STIPULATION OF M. ALEXANDER TO BE BOUND BY JUDGMENT AND PROPOSED ORDER THEREON